

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RAYMOND TIBBETTS,	:	Case No. 1:03-cv-114
	:	
Petitioner,	:	District Judge Susan J. Dlott
	:	
v.	:	Chief Magistrate Judge Michael R. Merz
	:	
MARGARET BRADSHAW, Warden,	:	
	:	ORDER ADOPTING REPORT AND
Respondent.	:	RECOMMENDATIONS AND
	:	SUPPLEMENTAL REPORT AND
	:	RECOMMENDATIONS AND
	:	DENYING PETITION FOR
	:	HABEAS RELIEF

This matter is before the Court on the Magistrate Judge's Report and Recommendations and Supplemental Report and Recommendations on Petitioner Raymond Tibbetts' Petition for Writ of Habeas Corpus (doc. #5) (collectively "Reports") (docs. ##s 44, 48); Tibbetts' Objections to the Reports (docs. ##s 46, 49); and Respondent's Oppositions to Tibbetts' Objections (docs. ##s 47, 50.) Having reviewed the relevant pleadings, portions of the record, and law *de novo*, the Court hereby **OVERRULES** Tibbetts' remaining¹ Objections (docs. ## 46, 49) and **ADOPTS** the Magistrate's

¹ Tibbetts' Petition for Writ of Habeas Corpus (doc. #5) included thirty claims, sixteen of which he later conceded or withdrew. (See, e.g., doc. #48 at 1 (referencing claims 1, 2, 6, 10, 11, 12, 17, 18, 20, 21, 22, 23, 24, 25, 26, and 27.)) The Magistrate Judge's original Report recommended denying Tibbetts' Petition as to each his remaining fourteen grounds. (See, e.g., *id.* (referencing claims 3, 4, 5, 7, 8, 9, 13, 14, 15, 16, 19, 29, and 30.)) Tibbetts did not object to those portions of the original Report addressing his seventh, his thirteenth through sixteenth, nineteenth (partial), twenty-eighth, and thirtieth grounds, and concedes that this Court may therefore adopt the original Report as to those claims for lack of objection. (See, e.g., doc. #48 at 1; doc. #45 at 3.) The Magistrate Judge's Supplemental Report therefore addresses only Tibbetts' residual, or third, fourth, fifth, eighth, ninth, nineteenth (partial), and twenty-ninth grounds. (Doc. #48 at 1.) The Court's conclusions are based on its review of those portions of the Magistrate's Report and Supplemental Report and Tibbetts' Objections pertaining to those residual claims.

thorough and well-reasoned Reports (doc. #44, 46) in their entirety.² Pursuant to the Reports and the Court's review, Tibbetts' Petition (doc. #5) is hereby **DISMISSED WITH PREJUDICE** on the merits.

IT IS SO ORDERED.

s/Susan J. Dlott
Susan J. Dlott
United States District Judge

² The Supplemental Report corrects and withdraws one erroneous statement in the original Report. (See doc. #48 at 2.) The Court adopts the original Report as corrected by the Supplement.